

U.S. Rep. Nadler Announces Hearings Into Post- Sept 11th Downtown Environmental Quality

Wednesday, 13 February 2002

WASHINGTON - As a result of today's revelations that US Department of Energy contract scientists found that the air pollution in lower Manhattan was worse than the air pollution in the Kuwait oil fields when they were burning during the Gulf War, and in light of the Environmental Protection Agency's (EPA) erroneous statements on air quality as a result of the WTC attacks, Congressman Jerrold Nadler (D-NY) is announcing that he will host investigative hearings by the National Ombudsman of the EPA on these and other related matters.

"I am pleased that the EPA Ombudsman, Robert Martin and Chief Investigator Hugh Kaufman will hold hearings on hazardous waste cleanup and ensuring air quality," said Rep. Nadler. "Clearly, as the weeks pass, we have learned more and more that the EPA has simply looked the other way from one of the biggest calamities to ever happen in the United States. I am hopeful that these hearings will help provide the answers we need from the EPA, as well as get additional information on exactly how safe or unsafe downtown is."

EPA Ombudsman Robert Martin said, "I am honored to accept the invitation of Representative Nadler to host the first of several important National Ombudsman investigative hearings in New York City. This will aid my independent investigation of the Ground Zero case and the effect to the health and environment of the citizens from the tragic events of Sept. 11, 2001. Together, we will get to the bottom of what happened and will move forward to set a course of action to ensure that the health and environment of the citizens of New York City are protected. We are determined that the truth will prevail, as it has in other National Ombudsman investigations around the Nation, and that citizens will receive the help they deserve."

National Ombudsman Robert Martin and Chief Investigator Hugh Kaufman have convened over one dozen National Ombudsman Investigative Hearings hosted by Congressmen and Senators during the last four years. These investigative hearings occurred from Idaho to Pennsylvania, and Florida to Colorado; and dealt with complaints about EPA's handling of hazardous waste and hazardous material cases.

As a result of these previous hearings, EPA has altered their decisions in all the cases investigative hearings were held. In a case in Florida, EPA withdrew a Consent Decree and agreed to do more detailed environmental testing that was required. In another case, in Colorado, the EPA reversed a decision to dispose of radioactive waste in Denver, and will be sending this waste to a licensed disposal facility with less impact on the public health and the environment.

Almost immediately following the September 11th attacks, Rep. Nadler took up the cause of testing air quality in Lower Manhattan, which was saturated with hazardous materials and particulate matter due to debris and smoke from the World Trade Center. His Ground Zero Elected Officials Task Force commissioned a study of indoor air downtown, which was submitted to the EPA, and showed high levels of some contaminants. In recent weeks, as reports have surfaced that the EPA bucked its responsibility in regard to the testing and cleanup of indoor air in Lower Manhattan, Rep. Nadler made repeated requests for answers from the EPA, to no avail. Most recently, the Congressman testified in front of the Senate Subcommittee on Clean Air, Wetlands, and Climate Change hearings in New York that the EPA actually hid important data collected by the US Geological Survey (USGS) that showed pH levels in the air of some areas as corrosive as drain cleaner.

"Hiding the findings of the USGS is utterly scandalous, as is the lack of responsibility shown by the EPA so far," said Rep. Nadler.

Yesterday, Administrator Whitman agreed to form a Task Force on Indoor Air in Lower Manhattan. The details of this

Task Force are not yet known, but examining the details will be included in the EPA National Ombudsman Hearings.

“I am glad that the EPA is taking this first step by promising to establish a Task Force on Indoor Air Quality,” said Rep. Nadler. “I just hope the Task Force is not merely window dressing, and does everything to ensure immediate action. Similarly, I hope this Task Force is not an avenue that the EPA will use to continue to improperly shirk its responsibilities. There cannot be any delay.”

“We need answers, and we need them now. The EPA must exercise its full authority under the law, and take responsibility not only for testing downtown, but also immediate proper cleanup, where necessary,” he added.

The Office of the Ombudsman was established by Congress to independently receive individual complaints, grievances, and requests for information regarding the work of the EPA, and to make appropriate recommendations to the EPA Administrator. Following sunset of the Congressional mandate in 1989, the EPA elected to make the Office of the Ombudsman and its functions permanent.

Rep. Jerrold Nadler was elected to Congress in 1992. He represents the 8th Congressional District of New York, which includes parts of Manhattan and Brooklyn, including the area now known as “Ground Zero.”

The first National Ombudsman Investigative Hearing into the presence of hazardous waste and remediation around Lower Manhattan will take place on Saturday, Feb. 23 at 12pm, at the U.S. Courthouse at 500 Pearl Street in Manhattan.

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